

Paragraph of Order	Order Requirement	Proposed Actions to be Taken	Deadline	Status
52(a)	Within one (1) business day of receipt of this Order, Respondent shall submit to EPA in writing a statement explaining whether Respondent intends to and is able to comply with this Order.	New-Indy submitted a written reply to EPA on 5/17/21 confirming New-Indy's intent to comply in good faith with the requirements of the Order to the extent New-Indy can do so reasonably and safely in the required timeframes, and subject to availability of third party contractors, equipment, labor and materials.	5/14/2021	Complete
52(b)	Upon receipt of this Order, Respondent must immediately begin taking steps to minimize air emissions of hydrogen sulfide to not exceed a facility fence-line average concentration of 600 ppb over a rolling 30-minute period and 70 ppb over a rolling seven (7) day period (on a daily calendar basis) as established through continuous monitoring.	See accompanying Operating Procedures and supporting information.	Immediately Upon Receipt of Order	In progress
Attachment A	New-Indy may request no later than May 17, 2021 approval for an alternative location representative of fence line monitoring.	New-Indy submitted written requests to EPA on 5/17/21 and 5/21/21, and has received written approval from EPA for both requests.	5/17/2021	Complete
52(c)	As soon as possible, but not later than 5:00 p.m. on Tuesday, May 18, Respondent shall provide a draft of the timeline and a detailed summary of the measures to be taken to comply with this Order ("Remedial Plan").	On 5/18/21 before 5:00 pm, New-Indy provided the draft Remedial Plan and supporting documentation to comply with Paragraph 52(c)(i)-(iii) of the Order.	5/18/2021 5:00 pm	Complete

52(c)(i)	Proposed procedures for operating the facility to meet the hydrogen sulfide concentrations specified in Paragraph 52.b, and supporting documentation.	On 5/18/21 before 5:00 pm, New-Indy provided the draft Remedial Plan and supporting documentation to comply with Paragraph 52(c)(i)-(iii) of the Order.	5/18/2021 5:00 pm	Complete
52(c)(ii)	Proposed Quality Assurance Project Plan for data collection and analysis to determine if Respondent is meeting the fence-line hydrogen sulfide concentrations specified in Paragraph 52.b, and supporting documentation.	On 5/18/21 before 5:00 pm, New-Indy provided the draft Remedial Plan and supporting documentation to comply with Paragraph 52(c)(i)-(iii) of the Order.	5/18/2021 5:00 pm	Complete
52(c)(iii)	Proposed plans for addressing safety procedures, shutdown procedures, and access restrictions while work is performed, and supporting documentation.	On 5/18/21 before 5:00 pm, New-Indy provided the draft Remedial Plan and supporting documentation to comply with Paragraph 52(c)(i)-(iii) of the Order.	5/18/2021 5:00 pm	Complete
52(d)	As soon as possible, but not later than twelve noon on Monday, May 24, Respondent shall submit the final Remedial Plan, addressing any comments received from EPA on the draft Remedial Plan, to EPA for review and final approval.	On 5/18/21 before 5:00 pm, New-Indy provided the draft Remedial Plan and supporting documentation to comply with Paragraph 52(c)(i)-(iii) of the Order. New-Indy submitted a Final Remedial Plan, addressing EPA comments. New-Indy is submitting this Revised Final Remedial Plan further addressing EPA comments.	5/24/21 Noon	Complete
52(e)	As soon as possible, but not more than five (5) calendar days after receipt of EPA approval under paragraph 52.d., Respondent shall act in accordance with the Remedial Plan, as	On 5/18/21 before 5:00 pm, New-Indy provided the draft Remedial Plan and supporting documentation to comply with Paragraph 52(c)(i)-(iii) of the Order. With feedback from EPA, New-Indy is submitting this Revised Final Remedial Plan and	Five days after EPA approval	After receipt of EPA approval of Final Remedial Plan

	amended by comments received by EPA.	will be implementing the approved actions.		
52(f)	As soon as possible, but no later than 14 calendar days after receipt of this Order, Respondent shall install, and begin operating, continuous hydrogen sulfide fence-line monitors at the three locations identified in Attachment A. The locations may be adjusted with prior written approval by EPA. The monitors shall have a minimum detection limit of 10 ppb by volume (ppbV) or lower, shall have a span range up to 1,000 ppbV or higher, and shall be operated in accordance with the manufacturer's recommendations.	New-Indy submitted written requests to EPA on 5/17/21 and 5/21/21. New-Indy intends to comply with this requirement in good faith to the extent New-Indy can do so reasonably and safely in the required timeframes, and subject to availability of third party contractors, equipment, labor and materials.	5/27/2021	In progress
52(f) continued	If the Respondent is already operating ambient air monitors for hydrogen sulfide on or offsite, Respondent shall provide to EPA daily documentation of such monitoring until such time as the monitoring required by this Paragraph is installed and operational.	New-Indy installed three continuous H2S monitoring stations at and around the mill in April to begin measuring levels of H2S. New-Indy is encouraged that initial data from the station at New-Indy's property boundary indicate H2S concentrations well below the concentrations identified in paragraph 52(b) of the Order. New-Indy is organizing the data from the continuous monitors to provide to EPA in a usable format by 5/27/21.	5/27/2021	In progress
52(g)	As soon as 24 hours of the fence-line monitoring data is available, Respondent shall: submit to EPA daily	As soon as 24 hours of monitoring data is available, New-Indy will submit to EPA daily documentation of the previous 24 hours of monitoring	As soon as 24 hours of monitoring data is available	As soon as 24 hours of monitoring data is available

	documentation of the previous 24 hours of monitoring data; immediately notify EPA (via email) of any exceedance of the fence-line hydrogen sulfide concentrations specified in Paragraph 52.b; and submit to EPA a summary report every seven (7) days documenting the results of the continuous monitoring required by Paragraph 52.b.	data; notify EPA (via email) of any exceedance of hydrogen sulfide concentrations specified in Paragraph 52.b; and submit to EPA a summary report every seven (7) days documenting the results of the continuous monitoring required by Paragraph 52.b.		
52(h)	If Respondent intends to continue manufacturing operations at the facility following implementation of the Remedial Plan, no more than 45 calendar days after receipt of this Order, Respondent shall, after consulting with a toxicologist, submit to EPA in writing a long-term plan that identifies: (i) how Respondent's continued operations will avoid the endangerment identified by EPA in this Order; and (ii) what operational, production or process changes to the facility are necessary to operate in accordance with recognized and generally accepted good engineering and good air pollution control practices.	New-Indy has engaged a toxicologist in connection with this requirement.	6/27/2021	In progress